

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

R.M.S. TITANIC, INC.,  
Successor-in-interest to Titanic  
Ventures, limited partnership,

Plaintiff,

v.

CIVIL ACTION NO. 2:93cv902

THE WRECKED AND ABANDONED VESSEL, ITS  
ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A  
POINT LOCATED AT 41 43' 32" NORTH  
LATITUDE AND 49 45' 49" WEST  
LONGITUDE, BELIEVED TO BE THE R.M.S.  
TITANIC, IN REM,

Defendant.

ORDER

On August 5, 2022, R.M.S. Titanic, Inc. ("RMST"), filed a periodic report ("Report"). ECF No. 674. In the Report, RMST explained that Magellan Limited ("Magellan") "has launched an expedition to the [Titanic] wreck site ["Wreck Site"], ostensibly to map the Marconi Room via a 'point cloud' array." Id. at 2.

RMST represents that it is not participating in the current expedition, and "does not have any details of [it] . . . ." Id. at 2. RMST is not aware of the planned duration, has not seen a dive plan, does not know which activities Magellan has planned for the Wreck Site, and is unsure "whether there is salvage equipment or tooling" on board the Magellan vessel. Id.

The court understands that Magellan possesses submersible vehicles capable of manipulating objects at the Wreck Site.<sup>1</sup> The court has previously issued Orders governing such activity. See, e.g., ECF No. 164. Indeed, the court specifically addressed a previous planned expedition to remove the Marconi device that was ultimately cancelled. See ECF No. 612 (May 18, 2020, Opinion); ECF No. 662 (noting status of proceedings).

However, RMST has not actually alleged that Magellan will interfere with its rights as salvor-in-possession or violate any of this court's orders governing activities at the wreck site. Accordingly, RMST is **DIRECTED** to further investigate Magellan's activity and, if RMST deems necessary, request court intervention to preserve its rights as salvor-in-possession by filing a complaint in the above-captioned matter. If RMST files a complaint, it must serve Magellan with process in accordance with the Federal Rules of Civil Procedure. RMST is further **DIRECTED** promptly to provide the court with any additional details it learns concerning the Magellan expedition, to include dive plans, timing, equipment to be used, and the purpose of the expedition at the Wreck Site.

The Clerk is **DIRECTED** to forward a copy of this Order as follows:

- (1) by commercial carrier to Magellan's corporate office, located at 1st Floor Tudor House, Le Bordage, St. Peter

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<sup>1</sup>See <https://www.magellan.gg/equipment-resources/>.

Port, Guernsey, GY1 1DB, with an electronic copy to logistics@magellan.gg;

(2) by first class mail to Jackie Roller, NOAA Office of the General Counsel, Herbert C. Hoover Building, 14th and Constitution Ave. NW, Washington D.C. 20230, with an electronic copy to jackie.rolleri@noaa.gov; and

(3) by standard procedures to counsel of record for all parties.

IT IS SO ORDERED.

/s/   
Rebecca Beach Smith  
Senior United States District Judge

REBECCA BEACH SMITH  
SENIOR UNITED STATES DISTRICT JUDGE

August 15, 2022